

### REMARKS

Applicant has carefully reviewed the Application in light of the Office Action dated May 12, 2006. Claims 1-17 are pending and stand rejected. Applicant respectfully requests reconsideration and favorable action in this case.

#### Section 102 Rejections

Claims 1-3, 6, 8, and 11 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 7,020,717 ("*Kovarik*"). Applicant respectfully traverses these rejections and the assertions and holdings therein.

Applicant respectfully submits that *Kovarik* fails to teach, suggest, or disclose each and every limitation of the claimed invention. For example, independent Claim 1 recites, "distributing the message from the one or more application routers to the one or more endpoints through one or more second channels selected from a second channel layer, wherein the message is distributed to the one or more endpoints in response to at least the one or more endpoints registering with the one or more application layer routers to receive messages in accordance with the configuration data of the one or more endpoints." In particular, claim 1 recites, in part, "distributing the message [, which is received from the application server,] from the one or more application routers to the one or more endpoints." For the teaching of the application server, the application layer routers, and the endpoints, the Examiner offers the message topic server 125, the message routers 115, and the applications 105, respectively. However, *Kovarik* merely teaches either transmitting messages between the message topic server 125 and the message router or between applications 105, not that the message topic server 125 distributes messages to an application 105 via the message routers 115.

In general, *Kovarik* teaches that the message topic server 125 stores a table of applications 105 that publish messages associated with specific topics. Col. 5, Lines 13-16. In the event that a different application 105 transmits a request to an associated message router 115 for messages associated with a specific topic, the message router 115 transmits, to the message topic server 125, a request to identify the applications 105 publishing messages associated with the specified topic. Col. 7, Lines 16-18. The message topic server 125 identifies message

routers 115 associated with the topic and transmits information identifying the message routers 115 to the requesting message router 115. Col. 7, Lines 19-38. In response to receiving the identification message, the requesting message router 115 establishes a communication link with the identified message router 115 to enable the requesting application 105 to receive messages associated with the topic from the application 105 publishing the messages. Col. 7, Lines 48-64. In short, the only messages that the applications 105 receive are messages transmitted from other applications 105, not the message topic server 125. Thus, *Kovarik* fails to teach or suggest that the message topic server 125 transmits a message to a message router 115 that in turn transmits the message to an application 105. Accordingly, Applicant respectfully requests reconsideration and allowance of claim 1 and its dependents.

Independent claims 11 recites limitations that are similar, although not identical, to the limitations of claim 1 discussed above. Therefore, this claim is allowable for reasons analogous to those discussed above in connection with claim 1.

#### Section 103 Rejections

Claims 4-5, 7, 9, 12, and 15-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kovarik* and in view of U.S. Patent No. 6,493,341 ("*Datta*"). In addition, claims 13-14, 16-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kovarik* and in view of U.S. Patent No. 5,857,072 ("*Crowle*"). Also, claim 15 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kovarik*, *Crowle* and in view of U.S. Patent No. 6,907,011 ("*Miller*"). Applicant respectfully traverses these rejections and the assertions and holdings therein. In particular, these depend from one of independent Claims 1 and 11. As discussed above, independent Claims 1 and 11 are allowable over *Kovarik*. The Office Action fails to cite any teaching or suggestion in *Datta*, *Crowle*, and *Miller* of the missing elements discussed above. Therefore, Claims 4-5, 7, 9, and 12-17 are allowable at least because they depend from one of allowable Claims 1 and 11. Thus, Applicant respectfully requests that these rejections be withdrawn.

Information Disclosure Statement

The Information Disclosure Statement submitted by Applicant on June 14, 2005 has not been initialed and returned by the Examiner. Applicant has included a copy of the Form PTO-1449 and requests the references thereon be considered and the PTO-1449 be initialed and returned.

CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests full allowance of all claims.

If the present application is not allowed and/or if one or more of the rejections is maintained, Applicant hereby requests a telephone conference with the Examiner and further requests that the Examiner contact the undersigned attorney to schedule the telephone conference.

No fees are believed to be due. However, please apply any deficiencies or any other required fees or any credits to deposit account 05-0765, referencing the attorney docket number shown above.

Respectfully submitted,

Date: June 12, 2006

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